



P.O. 5818 - Patentaan 2
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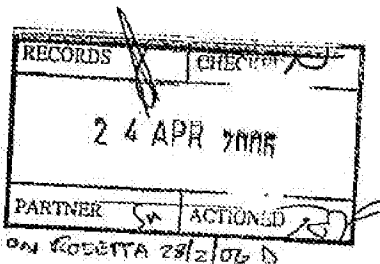
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Application No./Patent No.
03078778.2 - 2305

Applicant/Proprietor
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COMMUNICATION

The European Patent Office herewith transmits as an enclosure the European search report (under R. 44 or R. 45 EPC) for the above-mentioned European patent application.

If applicable, copies of the documents cited in the European search report are attached.

- ☒ Additional set(s) of copies of the documents cited in the European search report is (are) enclosed as well.

The following specifications given by the applicant have been approved by the Search Division :

- ☒ Abstract ☐ Title
- ☐ The abstract was modified by the Search Division and the definitive text is attached to this communication.

The following figure will be published together with the abstract : 1

Refund of search fee

If applicable under Article 10 Rules relating to fees, a separate communication from the Receiving Section on the refund of the search fee will be sent later.





DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (IPC)
Y	US 4 425 117 A (HUGEMANN BERHARD ET AL) 10 January 1984 (1984-01-10) * column 2, line 40 - column 3, line 10; figures 1,2 * * column 3, line 46 - column 4, line 1 *	36-46	INV. A61B5/07 A61B5/00 A61F2/02 A61M31/00 A61M25/01
A		1,3,30,60	
Y	JP 58 121938 A (SEIKO INSTR & ELECTRONICS) 20 July 1983 (1983-07-20) * figures 1,2 *	36-46	
A		1,3,30,60	
A	US 4 239 040 A (HOSOYA TAKESHI ET AL) 16 December 1980 (1980-12-16) * figures 4-6; examples 2,3 *	1,3,30,60	
A	DE 33 39 323 A (BUSCH ULRICH) 15 May 1985 (1985-05-15) * abstract; claims 1-3 *	1,3,30,60	
D,A	US 5 167 626 A (CASPER ROBERT A ET AL) 1 December 1992 (1992-12-01) * the whole document *	1,3,30,60	TECHNICAL FIELDS SEARCHED (IPC)
D,A	US 5 279 607 A (SCHENTAG JEROME J ET AL) 18 January 1994 (1994-01-18) * abstract * * column 4, line 16 - column 5, line 2; figure 1 * * column 5, line 18 - column 6, line 13; figure 2 *	1,3,30,60	A61B A61F A61M
		-/-	
The present search report has been drawn up for all claims			
Place of search Berlin		Date of completion of the search 11 April 2006	Examiner Nielsen, M
CATEGORY OF CITED DOCUMENTS			
X: particularly relevant if taken alone Y: particularly relevant if combined with another document of the same category A: technological background O: non-written disclosure P: intermediate document		T: theory or principle underlying the invention E: earlier patent document, but published on, or after the filing date D: document cited in the application L: document cited for other reasons &: member of the same patent family, corresponding document	

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EPO FORM 1503 03 02 (P44301)



DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (IPC)
D, A	LAMBERT A ET AL: "AUTONOMOUS TELEMETRIC CAPSULE TO EXPLORE THE SMALL BOWEL" MEDICAL AND BIOLOGICAL ENGINEERING AND COMPUTING, GB, PETER PEREGRINUS LTD. STEVENAGE, vol. 29, no. 2, 1 March 1991 (1991-03-01), pages 191-196, XP000230962 ISSN: 0140-0118 * the whole document *	1, 3, 30, 60	
Y	US 5 217 449 A (YUDA SHUNICHI ET AL) 8 June 1993 (1993-06-08) * the whole document *	7-29, 72-95	
Y	MUELLER J S ET AL: "TWO NOVEL TECHNIQUES FOR ENHANCING POWERING AND CONTROL OF MULTIPLE INDUCTIVELY-POWERED BIOMEDICAL IMPLANTS" IEEE INTERNATIONAL SYMPOSIUM ON CIRCUITS AND SYSTEMS, US, NEW-YORK, NY: IEEE, 9 June 1997 (1997-06-09), pages 289-292, XP000805394 ISBN: 0-7803-3584-8 * the whole document *	7-29, 72-95	
A	DE 10 76 322 B (PERRENOUD JEAN PIERRE DR) 25 February 1960 (1960-02-25) * column 3, line 46 - column 4, line 20; figures 1, 2 *	7-29, 72-95	TECHNICAL FIELDS SEARCHED (IPC)
The present search report has been drawn up for all claims			
Place of search Berlin		Date of completion of the search 11 April 2006	Examiner Nielsen, M
CATEGORY OF CITED DOCUMENTS X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document		T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons & : member of the same patent family, corresponding document	



DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (IPC)
A	TOFY MUSSIVAND ET AL: "A TRANSCUTANEOUS ENERGY AND INFORMATION TRANSFER SYSTEM FOR IMPLANTED MEDICAL DEVICES" ASAIO JOURNAL,US,J.B.LIPPINCOTT CO.,HAGERSTOWN,MD, vol. 41, no. 3, 1 July 1995 (1995-07-01), pages 253-258, XP000542902 ISSN: 1058-2916 * the whole document *	7-29, 72-95	
A	US 3 659 600 A (MERRILL EDWARD W) 2 May 1972 (1972-05-02) * abstract; figure 1 *	36	
A	DE 40 37 043 A (HANACK ULRICH DR MED ;KRUEGER ULF DIPL ING (DE)) 21 May 1992 (1992-05-21) * column 3, lines 8-60; figure 1 *	47	
			TECHNICAL FIELDS SEARCHED (IPC)
The present search report has been drawn up for all claims			
Place of search Berlin		Date of completion of the search 11 April 2006	Examiner Nielsen, M
CATEGORY OF CITED DOCUMENTS			
X: particularly relevant if taken alone Y: particularly relevant if combined with another document of the same category A: technological background O: non-written disclosure P: intermediate document T: theory or principle underlying the invention E: earlier patent document, but published on, or after the filing date D: document cited in the application L: document cited for other reasons &: member of the same patent family, corresponding document			

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EPO FORM 1823 (01.02.2004) (P01001)



CLAIMS INCURRING FEES

The present European patent application comprised at the time of filing more than ten claims.

- ☐ Only part of the claims have been paid within the prescribed time limit. The present European search report has been drawn up for the first ten claims and for those claims for which claims fees have been paid, namely claim(s):
- ☐ No claims fees have been paid within the prescribed time limit. The present European search report has been drawn up for the first ten claims.

LACK OF UNITY OF INVENTION

The Search Division considers that the present European patent application does not comply with the requirements of unity of invention and relates to several inventions or groups of inventions, namely:

see sheet 8

- ☒ All further search fees have been paid within the fixed time limit. The present European search report has been drawn up for all claims.
- ☐ As all searchable claims could be searched without effort justifying an additional fee, the Search Division did not invite payment of any additional fee.
- ☐ Only part of the further search fees have been paid within the fixed time limit. The present European search report has been drawn up for those parts of the European patent application which relate to the inventions in respect of which search fees have been paid, namely claims:
- ☐ None of the further search fees have been paid within the fixed time limit. The present European search report has been drawn up for those parts of the European patent application which relate to the invention first mentioned in the claims, namely claims:



The Search Division considers that the present European patent application does not comply with the requirements of unity of invention and relates to several inventions or groups of inventions, namely:

1. claims: 1-6,55(partly),56(partly),68(partly),69(partly)

Ingestible device according to claim 1 defining a specific placement of the coiled wire in the device.

Ingestible device according to claim 3 defining a specific core.

I.e. ingestible devices with a specific type of receiver of electromagnetic radiation.

2. claims: 7-29,70-95

Apparatus for transmitting electromagnetic radiation to power an ingestible device according to claim 7 supporting a transmitter coil on opposite sides of the abdomen of an animal,

i.e. not an ingestible device, but a device for powering (any) ingestible device (having a receiver of electromagnetic radiation), a method of operating an ingestible device according to claim 26, the method comprising the steps of generating an axial oscillating magnetic field and directing said field at the device (the device as such not forming part of the scope of protection and the technical features of the device not being limiting on the method steps) and a method of operating an ingestible device according to claims 91, 92 and 93, the method comprising the steps of causing a receiver of the device to detect electromagnetic radiation thereby causing expulsion of a substance in the device by expansion of a spring in the device (the device as such not forming part of the scope of protection and the technical features of the device not being limiting on the method steps).

3. claims: 30-35,60-67,68(partly),69(partly)

Ingestible device according to claims 30 and 60 wherein a restraint (thread 51) is operable to limit operation of the actuator mechanism (spring 50), the restraint also being operable to switch to activate transmission of a signal indicative of operation of the device.

I.e. ingestible devices having a specific restraint / switching mechanism.

4. claims: 36-54,55(partly),56(partly),57-59,68(partly),69(partly)



The Search Division considers that the present European patent application does not comply with the requirements of unity of invention and relates to several inventions or groups of inventions, namely:

Ingestible device according to claim 36 wherein the spring in its uncompressed state has a minimum helical angle of 15 degrees.

Ingestible device according to claim 39 wherein the spring includes a pair of wires each coiled in loops to define a pair of hollow cylinder-like shapes.

Ingestible device according to claim 47 wherein the spring comprises a stack of resiliently deformable discs.

I.e. ingestible devices having a specific type of spring.

**ANNEX TO THE EUROPEAN SEARCH REPORT
ON EUROPEAN PATENT APPLICATION NO.**

EP 03 07 8778

This annex lists the patent family members relating to the patent documents cited in the above-mentioned European search report.
The members are as contained in the European Patent Office EDP file on
The European Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

11-04-2006

Patent document cited in search report		Publication date	Patent family member(s)		Publication date
US 4425117	A	10-01-1984	CA	1160122 A1	10-01-1984
			DE	2928477 A1	15-01-1981
			EP	0022540 A1	21-01-1981
			JP	56018915 A	23-02-1981
JP 58121938	A	20-07-1983	NONE		
US 4239040	A	16-12-1980	NONE		
DE 3339323	A	15-05-1985	NONE		
US 5167626	A	01-12-1992	NONE		
US 5279607	A	18-01-1994	CA	2106671 A1	10-12-1993
			EP	0594647 A1	04-05-1994
			WO	9221307 A1	10-12-1992
			US	5395366 A	07-03-1995
US 5217449	A	08-06-1993	NONE		
DE 1076322	B		NONE		
US 3659600	A	02-05-1972	NONE		
DE 4037043	A	21-05-1992	NONE		